

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
MEDFORD DIVISION

WILSON L. CLOW JR.,

Case No. 1:12-cv-149-CL

Plaintiff,

v.

GRANTS PASS PUBLIC SAFETY
OFFICER J. MOORE, et al.,

ORDER

Defendants.

PANNER, District Judge:

Magistrate Judge Mark D. Clarke has filed two Reports and Recommendations, and they are both now before this court. See 28 U.S.C. § 636(b)(1)(B), Fed. R. Civ. P. 72(b). Although no objections have been filed to either Report and Recommendation, this court reviews the legal principles *de novo*. See Lorin Corp. v Goto & Co., Ltd., 700 F.2d 1202, 1206 (9th Cir. 1983).

As to the first Report and Recommendation (#69), I agree with Magistrate Judge Clarke that plaintiff failed to state a claim

under 42 U.S.C. § 1983 against defendant Barbara Bean. I also agree that this court should decline to exercise supplemental jurisdiction over plaintiff's state law claims against Bean, so those claims are dismissed without prejudice and with leave to refile in state court.

As to the second Report and Recommendation (#75), I agree with Magistrate Judge Clarke that the Grants Pass defendants are entitled to a judgment of dismissal. Because Bean, the only remaining defendant, is also being dismissed, I will issue a judgment covering the entire action.

Accordingly, I adopt the Reports and Recommendations of Magistrate Judge Clarke. See 28 U.S.C. § 636(b)(1)(B), Fed. R. Civ. P. 72(b).

CONCLUSION

Magistrate Judge Clarke's Reports and Recommendations (#69, #75) are adopted. The motions to dismiss (#62) and for limited judgment (#73) are granted. Plaintiff's state law claims against Bean are dismissed without prejudice and with leave to refile in state court.

IT IS SO ORDERED.

DATED this 17 day of January, 2013.



OWEN M. PANNER
U.S. DISTRICT JUDGE